



VARIANCE CRITERIA (17.04.260)

- A. The Planning Commission may approve a variance from the provisions of this Chapter other than the uses specified for any District or restrictions on the location of factory built housing only if it determines following review pursuant to Section 17.04.290 that the following criteria are substantially met:
1. The variance will not adversely affect the public health, safety and welfare.
 2. Unusual physical circumstances exist, such as unusual lot size or shape, topography, or other physical conditions peculiar to the affected property which make it unfeasible to develop or use the property in conformity with the provisions of this Chapter in question.
 3. The unusual circumstances have not been created as a result of the action or inaction of the applicants, other parties in interest with the applicant, or their predecessors in interest.
 4. The variance requested is the minimum variance that will afford relief and allow for reasonable use of the property.
 5. The variance will not result in development incompatible with other property or buildings in the area, and will not affect or impair the value or use or development of other property.
- B. The Planning Commission may impose conditions of approval as necessary to insure that the above criteria are met including limitations on the effective term of the variance.
- C. The City Manager or designee may approve *di minimus* variances from the dimensional requirements of Section 17.04.220, fence height requirements, 17.04.240(B)(1), sign height and sign area requirements in Section 17.68 which meet the following criteria:
1. The variance is unnoticeable off the premises or would take a survey or measurements to detect;
 2. The variance is not more than 5% of the applicable measurement; and
 3. No practical alternative exists.
- D. The burden shall be on the applicant to show that the applicable criteria are met. (Ord. 4, §1, 1999)